

Travis County, Texas, upon certain deficiency warrants; providing for payment of any judgment rendered against the State of Texas in said suit; providing that either party to said suit shall have the right to appeal from any judgment rendered, and declaring an emergency."

Referred to Committee on State Affairs.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 26, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 6. The following have been appointed on the part of the Senate: Senators Redditt, Collie, Pace, Poage, Oneal.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### SENATE BILL NO. 2 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 2, A bill to be entitled "An Act creating a conservation and reclamation district to be known as Lower Colorado River Authority, pursuant to and for the purposes set forth in Section 59, of Article XVI, of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate, without power to mortgage or encumber any of its property or to alienate any property necessary to its business, or to levy taxes or assessments or to create any indebtedness payable out of taxes or assessments, or to pledge the credit of the State; fixing the boundaries thereof; conferring thereon all powers, rights, privileges and functions conferred by general law upon districts created pursuant to said Section 59, except as expressly limited; conferring certain other powers thereon, including the power to control, store, preserve, use, distribute and sell the waters of the Colorado River and its tributaries, and declaring an emergency";

The bill having heretofore been read second time with amendment by Mr. Dean, pending.

Mr. Graves offered the following substitute for the amendment by Mr. Dean:

Amend Senate Bill No. 2 by inserting at the end of Section 2 the following:

"It is the purpose of this Act to preserve every right now possessed by any person or municipality to impound and use the waters of the Colorado River and/or its tributaries for any purpose."

ENGELHARD,  
GRAVES.

(Pending consideration of the amendment, Mr. Burns occupied the Chair, temporarily.)

(Speaker in the Chair.)

Question—Shall the substitute amendment by Mr. Graves be adopted?

#### ADJOURNMENT

On motion of Mr. Burns, the House, at 12 o'clock m., adjourned until 10 o'clock a. m., next Monday.

#### APPENDIX

#### STANDING COMMITTEE REPORT

The following committee has filed favorable report, as follows:

Appropriations: House Bill No. 42.

#### ELEVENTH DAY

(Monday, October 29, 1934)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Burns.
Aikin.	Butler.
Alexander.	Calvert.
Alsup.	Canon.
Anderson.	Cathey.
Atchison.	Caven.
Baker.	Celaya.
Barron.	Chastain.
Beck.	Clayton.
Bourne.	Colson.

Cowley.	Magee.
Crossley.	McCullough.
Daniel.	McGregor.
Davidson.	McKee.
Dean.	Merritt.
Dunlap.	Metcalfe.
Dunagan.	Mitcham.
Duvall.	Moffett.
Dwyer.	Moore.
Engelhard.	Morrison.
Fain.	Morse.
Ford.	Munson.
Fuchs.	Nicholson.
Glass.	Palmer.
Golson.	Parkhouse.
Good.	Patterson.
Goodman.	Pavlica.
Graves.	Pope.
Griffith.	Puryear.
Hankamer.	Ramsey.
Harman.	Ratliff.
Harris.	Reed of Bowie.
Hartzog.	Reed of Dallas.
Hicks.	Renfro.
Hill.	Roark.
Hodges.	Rogers
Holekamp.	of Ochiltree.
Holland.	Rollins.
Hoskins.	Russell.
Huddleston.	Scarborough.
Hughes.	Scott.
Hunt.	Shannon.
Hunter.	Stanfield.
Hyder.	Steward.
Jackson.	Stinson.
James.	Stovall.
Jefferson.	Tarwater.
Johnson	Tennyson.
of Anderson.	Thomas.
Jones of Atascosa.	Tillery.
Jones of Runnels.	Townsend.
Jones of Shelby.	Van Zandt.
Kayton.	Vaughan.
Kyle of Palo Pinto.	Wagstaff.
Laird.	Walker.
Lange.	Weinert.
Latham.	Wells.
Lemens.	Winningham.
Lindsey.	Wood.
Lotief.	Young.
Mackay.	

## Absent

Bradley.	Long.
Camp.	Riddle.
Greathouse.	

## Absent—Excused

Adamson.	Head.
Barrett.	Hester.
Bedford.	Holloway.
Bergman.	Johnson
Coombes.	of Dimmit.
Devall.	Kyle of Hays.
Fisher.	Leonard.
Harrison.	Mathis.

McDougald.	Savage.
Ray.	Shults.
Reader.	Smith.
Roberts.	Stubbeman.
Rogers of Hunt.	Turlington.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Roberts for today, on motion of Mr. Ford.

Mr. Shults for today, on motion of Mr. Puryear.

Mr. Hester for today and the balance of the week, on motion of Mr. Hyder.

Mr. Head for today, on motion of Mr. Wells.

Mr. Bergman and Mr. Rogers of Hunt for today, on motion of Mr. Canon.

Mr. Harrison for today and tomorrow, on motion of Mr. Barron.

Mr. Leonard and Mr. Reader for today, on motion of Mr. Glass.

Mr. Bedford for today, on motion of Mr. Tennyson.

Mr. Dwyer for today, on motion of Mr. Nicholson.

Mr. Coombes for today, on motion of Mr. Good.

Mr. Smith for today, on motion of Mr. Golson.

Mr. Savage for today, on motion of Mr. Shannon.

Mr. McDougald for today, on motion of Mr. Hankamer.

Mr. Barrett for today, on motion of Mrs. Hughes.

Mr. Mathis for today, on motion of Mr. Holland.

Mr. Devall for today, on motion of Mr. Johnson of Anderson.

Mr. Holloway and Mr. Turlington for today, on motion of Mr. Latham.

Mr. Stubbeman for today and tomorrow, on motion of Mr. Stovall.

The following Members were granted leaves of absence on account of illness:

Mr. Johnson of Dimmit for today and the balance of the week, on motion of Mr. Ford.

Mr. Ray for today, on account of illness in his family, on motion of Mr. Dean.

Mr. Fisher for today and the balance of the week, on motion of Mr. Alsop.

Mr. Kyle of Hays for today, on account of a death in his family, on motion of Mr. Aikin.

Mr. Adamson for today and tomorrow, on motion of Mr. Van Zandt.

#### RELATIVE TO HOUSE CONCURRENT RESOLUTION NO. 2

Mr. Kayton raised a point of order on the adverse report on House Concurrent Resolution No. 2, by the Committee on State Affairs, on the ground that there was not a quorum present in the committee when the resolution was reported.

On motion of Mr. Kayton, House Concurrent Resolution No. 2 was withdrawn from the Committee on State Affairs, and referred to the Committee on Highways and Motor Traffic.

#### BILL RE-REFERRED

Mr. Lotief moved that House Bill No. 34 be withdrawn from the Committee on Revenue and Taxation, and referred to the Committee on Penitentiaries.

The motion prevailed.

#### BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 1, "An Act to aid the Brazos River Conservation and Reclamation District in preparing the necessary plans, specifications and data and in making the necessary surveys, and in acquiring the necessary lands, leases, easements and/or acquittances, and in building or having built and/or co-operating in the building of proper structures, reservoirs and levees suitable for the control, in so far as practicable, of the flood waters of the Brazos River watershed, declared to be a public calamity, granting and donating to said district for a period of twenty years all of the State ad valorem taxes in the following counties, which otherwise would go into the General Revenue Fund of the State of Texas, viz.: Austin County, Brazoria County, Burleson County, Fort Bend County, Grimes County, Waller County, Washington County, Brazos County, Milam County, and Robertson County, said grant being contingent upon the receiving by said district of a grant and/or loan and/or

advancement from the United States of America on or before January 1, 1940, of a sum reasonably sufficient to effect the performance of this Act, in no event to be less than \$30,000,000, and declaring certain things incidental to said purposes, providing for the segregation of said funds in the State Treasury, providing a penalty for the misapplication of the moneys thus donated, providing for the investment of available funds, providing for a system of accounting, providing that said tax diversion is based on 1934 valuation, and providing that Attorney Generals shall have the right to meet with commissioners courts in preparing assessments; etc., and declaring an emergency."

#### ADDRESS BY HON. O. C. FISHER

Speaker Stevenson introduced Hon. O. C. Fisher, Democratic nominee for the Forty-fourth Legislature from Tom Green County.

Mr. Fisher addressed the House.

#### ADDRESS BY HON. ROBERT H. WOOD

Speaker Stevenson introduced Hon. Robert H. Wood, Democratic nominee for the Forty-fourth Legislature of Harrison County.

Mr. Wood addressed the House.

#### EXPRESSING SYMPATHY OF THE HOUSE TO HON. J. W. ADAMSON

Mr. Van Zandt offered the following resolution:

Whereas, The Hon. J. W. Adamson, an able, valued, and esteemed Member of this House, is critically ill; therefore, be it

Resolved by the House, That it express to Mr. Adamson and his good wife its sincere sympathy for him because of his illness, and the hope that he may speedily recover and return to his place on the floor of this House, as his absence from the councils of this Body is a loss to the people of this State; and be it further

Resolved, That the Chief Clerk send a copy of this resolution to Mr. Adamson, and that suitable flowers be sent to him.

VAN ZANDT,  
BARRON,  
WOOD.

The resolution was read second time.

On motion of Mr. McKee, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Aikin, Alexander, Alsup, Anderson, Atchison, Baker, Barrett, Beck, Bedford, Bergman, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Fisher, Ford, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Johnson of Dimmit, Johnson of Anderson, Jones of Runnels, Jones of Shelby, Jones of Atascosa, Kayton, Kyle of Palo Pinto, Kyle of Hays, Laird, Lange, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McCullough, McDougald, McGregor, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roark, Roberts, Rogers of Ochiltree, Rogers of Hunt, Rollins, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Stubbs, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Vaughan, Wagstaff, Walker, Weinert, Wells, Winningham, Young.

The resolution was unanimously adopted.

#### RELATIVE TO HUNGER STRIKE OF UNEMPLOYED

Mr. Cathey offered the following resolution:

Whereas, On the 17th day of October, 1934, there assembled in the galleries of the House of Representatives several hundred citizens headed by their elected chairman, Mr. W. H. Roberts. These people were mostly of Austin and Travis County, Texas. People who have been dropped from the relief rolls and that these citizens were impelled to come before the law-making body of Texas in or-

der to present their claims in a peaceful manner; and

Whereas, They were trying to present their claims in a respectful manner and as law-abiding citizens, a majority of which were fathers and mothers with hungry babies in their arms, and they were without means of support for these babies and unable to obtain employment; and

Whereas, Starvation and hunger were staring them in the face; and

Whereas, They have always led peaceful, industrious lives and wish to continue that kind of life; and

Whereas, On account of their deplorable condition, they thought it best to come in a peaceable way and offer their complaints to the law-making body of this State; and

Whereas, On account of their presence in the Capitol Building, asking for some kind of relief to drive starvation from their door, unkind remarks were made that day in the presence and hearing of these petitioners, insinuating that they were a gang of "Reds," "Bolsheviks" and "anarchists" without interest or love for their State and National Government;

Therefore, they wish to go on record as offering their services to promote, build and make a success of the Texas Centennial Celebration, the One Hundredth Anniversary of Texas, in exchange for food that will enable their families to live while said work of building and promoting the Texas Centennial is in progress; now therefore, be it

Resolved by the House of Representatives, That this offer be read and printed in the Journal of the House, in order that children yet unborn of future generations may know that this assembly of people were only honest patriotic citizens and just asking for a chance to live and support their families, not in luxury, but in ordinary decency to which they are entitled; that they honestly and earnestly desire that they should be classed in that class of citizens who believe in the upholding of the law and that they love and respect the flag of their native State of Texas as well as the flag of their nation, the United States of America.

CATHEY,  
HICKS.

The resolution was read second time.

On motion of Mr. Rogers of Ochiltree, the resolution was tabled.

SENATE BILL NO. 2 ON PASSAGE  
TO THIRD READING

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 2, A bill to be entitled "An Act creating a conservation and reclamation district to be known as Lower Colorado River Authority, pursuant to and for the purposes set forth in Section 59, of Article XVI, of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate, without power to mortgage or encumber any of its property or to alienate any property necessary to its business, or to levy taxes or assessments or to create any indebtedness payable out of taxes or assessments, or to pledge the credit of the State; fixing the boundaries thereof; conferring thereon all powers, rights, privileges and functions conferred by general law upon districts created pursuant to said Section 59, except as expressly limited; conferring certain other powers thereon, including the power to control, store, preserve, use, distribute and sell the waters of the Colorado River and its tributaries, and declaring an emergency";

The bill having heretofore been read second time, with amendment by Mr. Dean and substitute by Mr. Graves and Mr. Engelhard for the amendment by Mr. Dean, pending.

(Pending consideration of the amendments, Mr. Walker occupied the Chair, temporarily. )

Question—Shall the substitute amendment by Mr. Graves be adopted?

## MESSAGE FROM THE GOVERNOR

Mr. John H. Davis, secretary to the Governor, appeared at the Bar of the House, and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,  
Austin, Texas, October 29, 1934.

To the Forty-third Legislature in  
Fourth Called Session:

By request I am submitting the attached bill, being "An Act authorizing the Secretary of the Board of Legal Examiners with the approval of the Supreme Court to appoint an assistant to serve during the months of February and March, June and

July, October and November, prescribing a salary for same, authorizing payment of said assistant out of the fees of office of the Clerk of the Supreme Court; repealing all laws in conflict herewith, and declaring an emergency," which bill was passed at the last Special Session of the Legislature but through inadvertence was not signed by the officials of the State Senate.

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

## BILL RE-COMMITTED

On motion of Mr. Metcalfe, House Bill No. 5 was re-committed to the Committee on Appropriations.

## RECESS

On motion of Mr. Vaughan, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

## AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 29, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 13, A bill to be entitled "An Act authorizing the Secretary of the Board of Legal Examiners with the approval of the Supreme Court to appoint an assistant to serve during the months of February and March, June and July, October and November; etc., and declaring an emergency."

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

## SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 13, to the Committee on Appropriations.

# BILL ORDERED NOT PRINTED

On motion of Mr. Aikin, Senate Bill No. 13 was ordered not printed.

# SENATE BILL NO. 13 ON SECOND READING

On motion of Mr. Aikin, the Twenty-four-Hour House Rule, relative to the consideration of printed bills and the regular order of business, were suspended for the purpose of considering at this time, Senate Bill No. 13.

Mr. Aikin moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 13 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100

Mr. Speaker.	Hill.
Aikin.	Hodges.
Alexander.	Holekamp.
Alsup.	Holland.
Anderson.	Huddleston.
Atchison.	Hughes.
Baker.	Hunter.
Beck.	Hyder.
Bergman.	Jackson.
Bourne.	James.
Burns.	Johnson
Butler.	of Anderson.
Calvert.	Jones of Atascosa.
Canon.	Jones of Runnels.
Cathey.	Jones of Shelby.
Caven.	Laird.
Chastain.	Lange.
Clayton.	Latham.
Colson.	Lemens.
Cowley.	Leonard.
Crossley.	Lindsey.
Daniel.	Long.
Davidson.	Lotief.
Dean.	Mackay.
Dwyer.	Magee.
Engelhard.	McCullough.
Fain.	McGregor.
Ford.	Merritt.
Fuchs.	Metcalfe.
Glass.	Mitcham.
Good.	Moffett.
Goodman.	Morrison.
Graves.	Munson.
Griffith.	Nicholson.
Hankamer.	Palmer.
Harman.	Pope.
Harris.	Puryear.
Hicks.	Ramsey.

Ratliff.	Tarwater.
Reed of Dallas.	Tennyson.
Renfro.	Thomas.
Roark.	Tillery.
Rogers	Townsend.
of Ochiltree.	Van Zandt.
Rollins.	Vaughan.
Russell.	Wagstaff.
Scott.	Walker.
Smith.	Weinert.
Stanfield.	Wells.
Steward.	Wood.
Stovall.	Young.

Nays—2

Reed of Bowie. Scarborough.

Present—Not Voting

Winningham.

Absent

Barron.	Jefferson.
Bradley.	Kayton.
Camp.	Kyle of Palo Pinto.
Celaya.	McKee.
Dunlap.	Moore.
Dunagan.	Morse.
Duvall.	Parkhouse.
Golson.	Patterson.
Greathouse.	Pavlica.
Hartzog.	Riddle.
Hoskins.	Shannon.
Hunt.	Stinson.

Absent—Excused

Adamson.	Kyle of Hays.
Barrett.	Mathis.
Bedford.	McDougald.
Coombes.	Ray.
Devall.	Reader.
Fisher.	Roberts.
Harrison.	Rogers of Hunt.
Head.	Savage.
Hester.	Shults.
Holloway.	Stubbeman.
Johnson	Turlington.
of Dimmit.	

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 13, A bill to be entitled "An Act authorizing the Secretary of the Board of Legal Examiners with the approval of the Supreme Court to appoint an assistant to serve during the months of February and March, June and July, October and November; etc., and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 13 ON THIRD  
READING

The Speaker then laid Senate Bill No. 13 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104

Mr. Speaker.	Jones of Shelby.
Aikin.	Laird.
Alexander.	Lange.
Alsup.	Latham.
Atchison.	Lemens.
Baker.	Lindsey.
Beck.	Long.
Bourne.	Mackay.
Bradley.	Magee.
Burns.	McCullough.
Butler.	McGregor.
Calvert.	Merritt.
Canon.	Metcalfe.
Cathey.	Mitcham.
Caven.	Moffett.
Celaya.	Morrison.
Chastain.	Munson.
Clayton.	Nicholson.
Colson.	Palmer.
Cowley.	Parkhouse.
Crossley.	Pavlica.
Daniel.	Pope.
Davidson.	Puryear.
Dean.	Ramsey.
Engelhard.	Ratliff.
Fain.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Glass.	Renfro.
Golson.	Roark.
Good.	Rogers
Goodman.	of Ochiltree.
Graves.	Rollins.
Greathouse.	Russell.
Griffith.	Scarborough.
Hankamer.	Scott.
Harman.	Shannon.
Harris.	Smith.
Hicks.	Stanfield.
Hill.	Steward.
Hodges.	Stovall.
Holekamp.	Tarwater.
Holland.	Tennyson.
Huddleston.	Thomas.
Hughes.	Tillery.
Hunt.	Townsend.
Hunter.	Van Zandt.
Hyder.	Vaughan.
Jackson.	Wagstaff.
James.	Walker.
Johnson	Weinert.
of Anderson.	Wells.
Jones of Atascosa.	Wood.
Jones of Runnels.	Young.

Absent

Anderson. Barron.

Bergman.	Kyle of Palo Pinto.
Camp.	Leonard.
Dunlap.	Lotief.
Dunagan.	McKee.
Duvall.	Moore.
Dwyer.	Morse.
Ford.	Patterson.
Hartzog.	Riddle.
Hoskins.	Stinson.
Jefferson.	Winningham.
Kayton.	

Absent—Excused

Adamson.	Kyle of Hays.
Barrett.	Mathis.
Bedford.	McDougald.
Coombes.	Ray.
Devall.	Reader.
Fisher.	Roberts.
Harrison.	Rogers of Hunt.
Head.	Savage.
Hester.	Shults.
Holloway.	Stubbeman.
Johnson	Turlington.
of Dimmit.	

SENATE BILL NO. 2 ON PASSAGE  
TO THIRD READING

The House resumed consideration of pending business, same being Senate Bill No. 2, relative to the creation of the Lower Colorado River Authority, the bill having heretofore been read second time, with amendment by Mr. Dean, and substitute by Mr. Graves and Mr. Engelhard for the amendment by Mr. Dean, pending.

(Mr. Hodges in the Chair.)

Mr. Metcalfe moved to table the substitute amendment.

(Speaker in the Chair.)

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—61

Aikin.	Dean.
Alexander.	Devall.
Alsup.	Dunlap.
Barron.	Dunagan.
Beck.	Duvall.
Bourne.	Good.
Calvert.	Hankamer.
Canon.	Hartzog.
Cathey.	Hill.
Caven.	Hodges.
Celaya.	Hughes.
Cowley.	Hunt.
Crossley.	Hunter.

Jackson.	Moore.
Johnson	Patterson.
of Anderson.	Ratliff.
Jones of Runnels.	Reed of Bowie.
Jones of Shelby.	Reed of Dallas.
Kayton.	Renfro.
Kyle of Palo Pinto.	Roark.
Laird.	Rollins.
Lange.	Scott.
Latham.	Steward.
Lemens.	Stinson.
Leonard.	Thomas.
Lindsey.	Van Zandt.
Long.	Vaughan.
McCullough.	Wagstaff.
Merritt.	Wells.
Metcalfe.	Winningham.
Mitcham.	Wood.
Moffett.	

## Nays—51

Anderson.	Jefferson.
Atchison.	Jones of Atascosa.
Baker.	Lotief.
Bradley.	Mackay.
Burns.	Magee.
Butler.	McGregor.
Chastain.	McKee.
Colson.	Morrison.
Davidson.	Munson.
Dwyer.	Palmer.
Engelhard.	Pavlica.
Fain.	Pope.
Fuchs.	Puryear.
Golson.	Ramsey.
Goodman.	Rogers
Graves.	of Ochiltree.
Griffith.	Shannon.
Harman.	Smith.
Harris.	Stovall.
Hicks.	Tarwater.
Holekamp.	Tennyson.
Holland.	Tillery.
Hoskins.	Townsend.
Huddleston.	Walker.
Hyder.	Weinert.
James.	Young.

## Present—Not Voting

Glass.	Russell.
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## Absent

Bergman.	Morse.
Camp.	Nicholson.
Clayton.	Parkhouse.
Daniel.	Riddle.
Ford.	Scarborough.
Greathouse.	Stanfield.

## Absent—Excused

Adamson.	Coombes.
Barrett.	Fisher.
Bedford.	Harrison.

Head.	Ray.
Hester.	Reader.
Holloway.	Roberts.
Johnson	Rogers of Hunt.
of Dimmit.	Savage.
Kyle of Hays.	Shults.
Mathis.	Stubbeman.
McDougald.	Turlington.

## PAIRED

Mr. Russell (present), who would vote "yea," with Mr. Savage (absent), who would vote "nay."

Question recurring on the amendment by Mr. Dean, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—65

Aikin.	Laird.
Alexander.	Lange.
Alsup.	Latham.
Barron.	Lemens.
Beck.	Leonard.
Bourne.	Lindsey.
Butler.	Long.
Calvert.	McCullough.
Canon.	Merritt.
Cathey.	Metcalfe.
Caven.	Mitcham.
Celaya.	Moffett.
Cowley.	Moore.
Crossley.	Palmer.
Dean.	Patterson.
Devall.	Pavlica.
Dunagan.	Ratliff.
Duvall.	Reed of Bowie.
Ford.	Reed of Dallas.
Good.	Renfro.
Hartzog.	Roark.
Hill.	Rollins.
Hodges.	Scott.
Hughes.	Stanfield.
Hunt.	Steward.
Hunter.	Stinson.
Hyder.	Thomas.
Johnson	Van Zandt.
of Anderson.	Vaughan.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Wells.
Kayton.	Winningham.
Kyle of Palo Pinto.	Wood.

## Nays—47

Anderson.	Engelhard.
Atchison.	Fain.
Baker.	Fuchs.
Bradley.	Golson.
Burns.	Goodman.
Chastain.	Graves.
Davidson.	Griffith.
Dwyer.	Hankamer.



Harman.	Munson.
Harris.	Pope.
Hicks.	Puryear.
Holekamp.	Ramsey.
Holland.	Rogers
Hoskins.	of Ochiltree.
Huddleston.	Shannon.
Jackson.	Smith.
James.	Stovall.
Jefferson.	Tarwater.
Jones of Atascosa.	Tennyson.
Lotief.	Tillery.
Mackay.	Townsend.
Magee.	Walker.
McGregor.	Weinert.
McKee.	Young.
Morrison.	

## Present—Not Voting

Glass.	Russell.
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## Absent

Bergman.	Greathouse.
Camp.	Morse.
Clayton.	Nicholson.
Colson.	Parkhouse.
Daniel.	Riddle.
Dunlap.	Scarborough.

## Absent—Excused

Adamson.	Kyle of Hays.
Barrett.	Mathis.
Bedford.	McDougald.
Coombes.	Ray.
Fisher.	Reader.
Harrison.	Roberts.
Head.	Rogers of Hunt.
Hester.	Savage.
Holloway.	Shults.
Johnson	Stubbeman.
of Dimmit.	Turlington.

## PAIRED

Mr. Russell (present), who would vote "yea," with Mr. Savage (absent), who would vote "nay."

Mr. Dwyer (present), who would vote "nay," with Mr. Holloway (absent), who would vote "yea."

Mr. Metcalfe moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—57

Aikin.	Bourne.
Alexander.	Butler.
Alsup.	Canon.
Barron.	Caven.
Beck.	Celaya.

Crossley.	McCullough.
Davidson.	Merritt.
Dean.	Metcalfe.
Dunlap.	Mitcham.
Dunagan.	Moffett.
Duvall.	Palmer.
Ford.	Patterson.
Good.	Ratliff.
Hodges.	Reed of Bowie.
Hughes.	Roark.
Hunt.	Rollins.
Hunter.	Scott.
Johnson	Stanfield.
of Anderson.	Steward.
Jones of Atascosa.	Stinson.
Jones of Runnels.	Thomas.
Jones of Shelby.	Tillery.
Kyle of Palo Pinto.	Townsend.
Laird.	Van Zandt.
Lange.	Vaughan.
Latham.	Wagstaff.
Lemens.	Wells.
Leonard.	Winningham.
Long.	Wood.

## Nays—50

Anderson.	James.
Atchison.	Lotief.
Baker.	McKee.
Bradley.	Mackay.
Burns.	McGregor.
Chastain.	Morrison.
Daniel.	Munson.
Devall.	Nicholson.
Dwyer.	Pavlica.
Engelhard.	Pope.
Fain.	Puryear.
Fuchs.	Ramsey.
Glass.	Reed of Dallas.
Golson.	Renfro.
Goodman.	Rogers
Graves.	of Ochiltree.
Griffith.	Russell.
Hankamer.	Scarborough.
Harris.	Shannon.
Hicks.	Smith.
Holekamp.	Stovall.
Holland.	Tarwater.
Hoskins.	Tennyson.
Huddleston.	Walker.
Hyder.	Weinert.
Jackson.	Young.

## Absent

Bergman.	Hill.
Calvert.	Jefferson.
Camp.	Kayton.
Cathey.	Lindsey.
Clayton.	Magee.
Colson.	Moore.
Cowley.	Morse.
Greathouse.	Parkhouse.
Harman.	Riddle.
Hartzog.	

## Absent—Excused

Adamson.	Barrett.
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Bedford.	Mathis.
Coombes.	McDougald.
Fisher.	Ray.
Harrison.	Reader.
Head.	Roberts.
Hester.	Rogers of Hunt.
Holloway.	Savage.
Johnson	Shults.
of Dimmit.	Stubbemap.
Kyle of Hays.	Turlington.

Mr. Vaughan offered the following amendment to the bill:

Amend Senate Bill No. 2, page 15, by striking out all of Section 16.

Mr. Engelhard moved to table the amendment.

The motion to table prevailed.

Mr. Lindsey offered the following amendment to the bill:

Amend Senate Bill No. 2, page 5, line 15, by inserting the words "or hereafter" after the word "now."

LINDSEY,  
PURYEAR.

On motion of Mr. Graves, the amendment was tabled.

Mr. Lindsey offered the following amendment to the bill:

Amend Senate Bill No. 2, page 6, line 1, by adding after the word "municipalities" the following:

"Provided that riparian owners of land through which the Colorado River and any of its tributaries flows shall have the right without permit from the State of Texas to take of the flood and storm waters of said river and or its tributaries for the purposes of irrigation."

LINDSEY,  
PURYEAR.

On motion of Mr. Engelhard, the amendment was tabled.

Mr. Kayton offered the following amendment to the bill:

Amend Senate Bill No. 2 by adding at the end of Section 5 thereof the following:

"It is provided that the funds which have been allotted to the Colorado River project by the Emergency Administration of Public Works of United States of America and which may be received out of said allotment by the district herein created under the terms of this Act shall only be used for the purpose of acquiring necessary lands, paying off

already acquired and established liens, excluding any lien to any holders of bonds now issued or outstanding, the payment of costs of relocating roads, bridges and highways; removal of cemetery; paying interest on outstanding bonds to P. W. A. and the costs necessarily incident to the completion of the partially constructed dam, powerhouse, and necessary appurtenances thereto (including supervisory and administrative costs of the district), which dam has heretofore been known as 'Hamilton Dam,' now known as Buchanan Dam, and is located within said district on the Colorado River between Burnet and Llano Counties; provided, however, that at all times a sufficient sum of money shall be retained from the loan of \$4,500,000 obtained from the P. W. A. to insure the completion of the construction of the dam at Hamilton; and said fund shall not be used for the purchase of lands, or payment of liens, so far as to impair the ability of the district to complete said dam out of the \$4,500,000 loan."

KAYTON,  
METCALFE,  
HUGHES,  
VAUGHAN.

Mr. Engelhard moved to table the amendment.

The motion to table prevailed.

Mr. Kayton offered the following amendment to the bill:

Amend Senate Bill No. 2, Section 2, by striking out paragraph (f), and inserting in lieu thereof the following:

"(f) To acquire by condemnation any and all property of any kind, real, personal, or mixed, or any interest therein within the boundaries of the district, other than such property or any interest therein as is owned or may hereafter be owned by any body politic, necessary to the exercise of the power, rights, privileges, and functions conferred upon it by this Act, and to acquire by condemnation outside the district such property as is necessary for transmission lines, for electric energy, and rights of way for canals, laterals, and pipe lines for the distribution and sale of water; and condemnation authorized hereunder shall be in the manner provided by general law with respect to condemnation or at the option of the district, in the manner provided by the statutes rel-

ative to condemnation by districts organized under general law pursuant to Section 59, of Article XVI, of the Constitution of the State of Texas."

KAYTON,  
METCALFE,  
HUGHES,  
LATHAM,  
VAUGHAN.

The amendment was lost.

Mr. Kayton offered the following amendment to the bill:

Amend Senate Bill No. 2, Section 12, page 14, by adding at the end of the section the following:

"Provided, however, that any agreement or covenant shall be void which might in any contingency result in depriving the State of Texas or its governmental agencies of the absolute control and administration of said district and its properties."

KAYTON,  
VAN ZANDT,  
LATHAM,  
SCOTT,  
METCALFE,  
VAUGHAN.

The amendment was adopted.

Mr. Kayton offered the following amendment to the bill:

Amend Senate Bill No. 2, Section (m), page 4, by adding at the end thereof the following:

"To appoint officers, agents, and employes; to prescribe their duties, and fix their compensation in line with the salaries and compensations now being paid by the various departments of the State of Texas for like and similar services. No salaries shall exceed six thousand dollars (\$6,000) per year. The Attorney General of the State of Texas shall be the general counsel of the district, and is empowered to appoint one Assistant Attorney General, who shall receive the average compensation paid Assistant Attorney Generals; provided, however, that the salaries of this particular Assistant Attorney General shall be paid out of the funds of the district."

KAYTON,  
LATHAM,  
SCOTT,  
METCALFE,  
HUGHES,  
VAUGHAN.

Mr. Graves moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—56

Anderson.	James.
Baker.	Jefferson.
Burns.	Jones of Atascosa.
Butler.	Lange.
Chastain.	Lemens.
Clayton.	Leonard.
Cowley.	Long.
Daniel.	Mackay.
Davidson.	Magee.
Devall.	McGregor.
Dwyer.	McKee.
Engelhard.	Morrison.
Fuchs.	Munson.
Glass.	Pavlica.
Golson.	Pope.
Goodman.	Reed of Dallas.
Graves.	Rogers
Griffith.	of Ochiltree.
Hankamer.	Shannon.
Harman.	Smith.
Harris.	Stanfield.
Hicks.	Steward.
Hill.	Stinson.
Hodges.	Tarwater.
Holekamp.	Van Zandt.
Holland.	Walker.
Hoskins.	Weinert.
Hyder.	Young.
Jackson.	

Nays—49

Aikin.	Kayton.
Alexander.	Latham.
Alsup.	Lindsey.
Barron.	Lotief.
Beck.	McCullough.
Bourne.	Metcalfe.
Bradley.	Mitcham.
Canon.	Moffett.
Cathey.	Moore.
Caven.	Palmer.
Colson.	Puryear.
Crossley.	Ratliff.
Dunagan.	Reed of Bowie.
Fain.	Roark.
Ford.	Rollins.
Good.	Russell.
Hartzog.	Stovall.
Huddleston.	Thomas.
Hughes.	Tillery.
Hunt.	Townsend.
Hunter.	Vaughan.
Johnson	Wagstaff.
of Anderson.	Wells.
Jones of Runnels.	Winningham.
Jones of Shelby.	Wood.

Absent

Atchison.

Bergman.

Calvert.	Morse.
Camp.	Nicholson.
Celaya.	Parkhouse.
Dean.	Patterson.
Dunlap.	Ramsey.
Duvall.	Renfro.
Greathouse.	Riddle.
Kyle of Palo Pinto.	Scarborough.
Laird.	Scott.
Merritt.	Tennyson.

## Absent—Excused

Adamson.	Kyle of Hays.
Barrett.	Mathis.
Bedford.	McDougald.
Coombes.	Ray.
Fisher.	Reader.
Harrison.	Roberts.
Head.	Rogers of Hunt.
Hester.	Savage.
Holloway.	Shults.
Johnson	Stubbeman.
of Dimmit.	Turlington.

## RECESS

On motion of Mr. Moffett, the House, at 5 o'clock p. m., took recess to 10 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Appropriations: House Bills Nos. 5 and 43, and Senate Bill No. 13.

Conservation and Reclamation: House Bill No. 47.

## ELEVENTH DAY

(Continued)

(Tuesday, October 30, 1934)

The House met at 10 o'clock a. m., and was called to order by Speaker Stevenson.

## HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Russell:

H. B. No. 49, A bill to be entitled "An Act granting to G. W. Witt of

Cookville, Titus County, Texas, permission to bring suit against the State of Texas and the State Highway Department in the District Court of Titus County, Texas, for damages sustained to his property and improvements and grass and crops, and permanent damages to his land, on account of fire destruction of meadow and improvements; etc., and declaring an emergency."

Referred to Committee on State Affairs.

## SENATE BILL NO. 2 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as pending business, on its passage to third reading,

S. B. No. 2, A bill to be entitled "An Act creating a conservation and reclamation district to be known as Lower Colorado River Authority, pursuant to and for the purposes set forth in Section 59, of Article XVI, of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate, without power to mortgage or encumber any of its property or to alienate any property necessary to its business, or to levy taxes or assessments or to create any indebtedness payable out of taxes or assessments, or to pledge the credit of the State; fixing the boundaries thereof; conferring thereon all powers, rights, privileges and functions conferred by general law upon districts created pursuant to said Section 59, except as expressly limited; conferring certain other powers thereon, including the power to control, store, preserve, use, distribute and sell the waters of the Colorado River and its tributaries, and declaring an emergency";

The bill having heretofore been read second time.

Mr. Hartzog offered the following amendment to the bill:

Amend Senate Bill No. 2 by striking out all of Section 15, and inserting in lieu thereof a new Section 15, to read as follows:

"Section 15. The district shall not prevent free public egress and ingress upon or over its property or upon the waters impounded by any dam constructed under the authority of this Act, except at such points where such right would, in the opinion of the board of directors, endanger the physical properties, build-